

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1133

AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-8.1-7-9.5, AS AMENDED BY P.L.244-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 9.5. (a) Every child residing in Indiana shall be immunized against:

- (1) diphtheria;
- (2) pertussis (whooping cough);
- (3) tetanus;
- (4) measles;
- (5) rubella;
- (6) poliomyelitis; and
- (7) mumps.

(b) Every child residing in Indiana who enters kindergarten or grade 1 shall be immunized against hepatitis B and chicken pox.

(c) The state department of health may expand or otherwise modify the list of communicable diseases that require documentation of immunity as medical information becomes available that would warrant the expansion or modification in the interest of public health.

(d) The state department of health shall adopt rules under IC 4-22-2 specifying the:

- (1) required immunizations;
- (2) child's age for administering each vaccine;
- (3) adequately immunizing doses; and

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(4) method of documentation of proof of immunity.

(e) Each school shall notify each parent of a child who enrolls in the school of the requirement that the child must be immunized and that the immunization is required for the child's continued enrollment, attendance, or residence at the school unless:

(1) the parent or child provides the appropriate documentation of immunity;

(2) for chicken pox, the parent or child provides a written signed statement that the child has indicated a history of chicken pox; or

(3) section 2 or 2.5 of this chapter applies.

(f) After June 30, 2005, every child in Indiana who enters grade 9 and grade 12 shall be immunized against hepatitis B. However, a child may not be prevented from enrolling in, attending, or graduating from high school for the sole reason that the child has not been immunized under this subsection. Beginning in the 2007-2008 school year, a high school is not required to notify each parent of a child enrolled to enter grade 9 of the immunization requirement in this subsection. The exceptions in sections 2 and 2.5 of this chapter apply to this subsection. This subsection expires July 1, 2008.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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